

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 2874

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DATE	D-PG	OFFICIAL STATUS
02/03/2022	4892	Introduction and first reading Referred to Education Finance and Policy

1.1A bill for an act

1.2relating to education; providing for educator support, crisis online learning, and a

1.3short-call substitute teacher pilot; amending Minnesota Statutes 2020, section

1.4124D.095, by adding a subdivision.

1.5BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6Section 1. Minnesota Statutes 2020, section 124D.095, is amended by adding a subdivision

1.7to read:

1.8Subd. 11. **Crisis online learning.** (a) "Crisis online learning" means online learning

1.9under this section as the primary mode of instruction for all students in a school building

1.10during a crisis learning period.

1.11(b) "Crisis learning period" means a period of time that is the result of an unforeseeable

1.12incident or situation such as a natural disaster, pandemic, or other catastrophic event that

1.13creates an unsafe or untenable in-person learning environment as declared by a school

1.14district or charter school.

1.15(c) "Crisis online learning plan" means a plan adopted by a school board or board of

1.16directors that describes the implementation of crisis online learning and how critical

1.17components of education are provided during the crisis learning period. Critical components

1.18of education include but are not limited to nutrition services in accordance with United

1.19States Department of Agriculture regulations, how teachers will be accessible online and

1.20by telephone during regular school hours each crisis online learning day to assist students,

1.21accommodations for students without Internet access or insufficient digital device access

1.22in a household, and accessible options for students with disabilities under chapter 125A and

1.23the Individuals with Disabilities Education Act. A crisis online learning plan may only be

adopted by a school district after consulting with the exclusive representative of the teachers or by a charter school after consulting with its teachers, and may include up to one instructional day to prepare for crisis online learning and one instructional day upon the conclusion of the crisis online learning period, not to exceed four days per school year without approval from the commissioner. Students and families must be notified of the crisis online learning plan before the beginning of the school year. Consistent with applicable labor agreements, districts must utilize available staff who are able to work during the crisis online learning period.

(d) Upon declaring a crisis learning period and providing notice to students and families at least one day prior to the regular school start time, a school district or charter school may implement the crisis online learning plan.

EFFECTIVE DATE. This section is effective the day following final enactment. For school year 2021-2022, the student and family notification requirement in subdivision 11, paragraph (c) does not apply.

Sec. 2. **CRISIS E-LEARNING.**

(a) A school district or charter school may waive the requirements of Minnesota Statutes, section 120A.414, subdivisions 2 and 3, and adopt up to five e-learning days during the 2021-2022 school year only. A waiver under this section still requires school districts and charter schools to provide accommodations for students without Internet access at home and for digital device access for families without the technology or insufficient amount of technology or accessible options for students with disabilities under Minnesota Statutes, chapter 125A.

(b) This section expires June 30, 2022.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. **SHORT-CALL SUBSTITUTE TEACHER PILOT.**

(a) A school district or charter school and applicant may jointly request the Professional Educator Licensing and Standards Board approve an application for a short-call substitute teaching license to teach in any content area. The application information must sufficiently demonstrate the following:

(1) the applicant:

(i) holds a minimum of an associate's degree or equivalent;

3.1 (ii) is enrolled in a teacher preparatory program; or

3.2 (iii) has been employed as an education support personnel or paraprofessional, and holds
3.3 a minimum of a high school diploma or equivalent, within the district or charter school for
3.4 at least one academic year; and

3.5 (2) the school district or charter school:

3.6 (i) has or will provide substitute training to the individual; and

3.7 (ii) has requested a background check in accordance with Minnesota Statutes, section
3.8 123B.03.

3.9 (b) The Professional Educator Licensing and Standards Board may issue a temporary
3.10 teaching license pending a background check under Minnesota Statutes, section 122A.18,
3.11 subdivision 8, and may immediately suspend or revoke the license upon receiving background
3.12 check information. An applicant submitting an application for a short-call substitute teaching
3.13 license in accordance with Minnesota Statutes, section 122A.18, subdivision 7a, paragraph
3.14 (a), must not be required to complete a joint application with a district and must not be
3.15 issued a license pending a background check under Minnesota Statutes, section 122A.18,
3.16 subdivision 8.

3.17 (c) Except between June 15 and September 1, 2022, the Professional Educator Licensing
3.18 and Standards Board must issue or deny a license within five business days of receiving a
3.19 complete application. The board may prioritize short-call substitute teaching license
3.20 applications to expedite the review process.

3.21 (d) Each assignment to replace a teacher of record must last no longer than 15 consecutive
3.22 school days. An applicant under paragraph (a), clause (1), unit (ii), may only replace a
3.23 teacher of record no more than two days per school week and must receive credit toward
3.24 the hours required for student teaching.

3.25 (e) This section expires February 15, 2023.

3.26 **EFFECTIVE DATE.** Notwithstanding Minnesota Statutes, section 122A.18, subdivision
3.27 7a, paragraph (a), this section is effective the day following final enactment.

3.28 Sec. 4. **EDUCATOR LAPSED LICENSE INCENTIVE.**

3.29 (a) If an individual's Minnesota teaching license has lapsed, the individual may be offered
3.30 and may accept a teaching position. By June 30, 2023, the individual must meet renewal
3.31 requirements for the continuing license or the individual will no longer be able to hold the

4.1 teaching position. This option does not count toward a teacher's onetime extension during
4.2 their teaching career.

4.3 (b) This section expires June 30, 2023.

4.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.5 Sec. 5. **CONDITIONAL TIER 3 LICENSURE.**

4.6 (a) Notwithstanding Minnesota Statutes, section 122A.183, Minnesota Rules, part
4.7 8710.0313, or any other law to the contrary, the Professional Educator Licensing and
4.8 Standards Board must issue a one-year conditional Tier 3 license to an applicant who: (1)
4.9 completed a Minnesota teacher preparation program with a completion date between July
4.10 31, 2021, and June 30, 2025; (2) is otherwise qualified under Minnesota Statutes, section
4.11 122A.183; and (3) has not yet passed a required licensure exam under Minnesota Statutes,
4.12 section 122A.185. As a condition of receiving the Tier 3 license, the applicant must pass
4.13 the required licensure exams under Minnesota Statutes, section 122A.185, within the first
4.14 year of licensure under this section. A school district or charter school that hires and employs
4.15 a teacher receiving a Tier 3 license under this section must provide support to that teacher
4.16 in working toward passing the licensure exams under Minnesota Statutes, section 122A.185.
4.17 The term of a conditional Tier 3 license under this section must be two years. The board
4.18 must waive the licensure renewal fee.

4.19 (b) This section expires June 30, 2025.